

REMARKS/ARGUMENTS

Claims 10-31 are pending. Independent Claim 10 has been amended for clarity and to indicate that washing the solid component is performed using an aliphatic or alicyclic hydrocarbon. Support for this amendment is found in the specification at page 6, lines 4-7. Dependent Claims 11-17 have been amended for clarity.

Independent Claim 18 has been amended for clarity and to indicate that washing the solid component is performed using an aliphatic or alicyclic hydrocarbon. Dependent Claims 19-25 have been revised for clarity and to properly depend from Claim 18.

New Claims 26-29 find support in the specification on page 11, last line. Claims 30-31 find support in the specification on page 6, lines 2-3. Accordingly, the Applicants do not believe that any new matter has been introduced.

The Applicants thank Examiner Nguyen for the courteous and helpful interview of November 19, 2003. Various ways to address the prior art rejections were reviewed. As discussed, Nagaoka et al., EP 0939068 recommends washing 2,6-DMN in an aromatic solvent, such as benzene, toluene or xylene. Accordingly, to further distinguish the claimed methods, the Applicants have now directed the claims to methods comprising washing with aliphatic and/or alicyclic hydrocarbons. As recommended by the Examiner, the Applicants also now file a terminal disclaimer over U.S. 6,525,235. Accordingly, favorable consideration is now respectfully requested.

Rejection--Double Patenting

Claims 10-25 were rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-4 of U.S. Patent No. 6,525,235. This rejection is moot in view of the attached terminal disclaimer.

Rejection—35 U.S.C. §102

Claims 10, 11, 13, 15, and 16 were rejected under 35 U.S.C. 102(b) as being anticipated by Nagaoka et al., EP 093068. Nagaoka does not anticipate the invention, because it does not disclose or suggest a process for making 2,6-dimethylnaphthalene comprising washing the solid component using a solvent which is an aliphatic or alicyclic hydrocarbon. Step 2(b), the rinsing step, in the process of Nagaoka preferably involves aromatic solvents such as benzene, toluene and xylene (see page 7, line 48). Practical Examples 1-3 on page 8 of Nagaoka use either ethyl alcohol or benzene as solvents. Accordingly, Nagaoka does not disclose the claimed process using aliphatic or alicyclic hydrocarbons.

Rejection—35 U.S.C. §103

Claims 14, 18, 19 and 21-24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Nagaoka et al., EP 093068. Nagaoka, as discussed above, does not render the present invention unpatentable, because it does not disclose or suggest a process for making 2,6-dimethylnaphthalene comprising washing the solid component using a solvent which is an aliphatic or alicyclic hydrocarbon.

Rejection—35 U.S.C. §103

Claims 12, 17, 20 and 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over Nagaoka et al., EP 093068, in view of Kobe et al., JP-5331079. The cited art does not render the present invention unpatentable, because it does not disclose or suggest a process for making 2,6-dimethylnaphthalene and washing the solid component using a solvent which is an aliphatic or alicyclic hydrocarbon. Nagaoka has been addressed above.

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Kobe was cited for its disclosure of a press-filtration step at 50 atm or higher, but does not disclose or suggest washing using an aliphatic or alicyclic hydrocarbon. Accordingly, the cited art does not render the present invention obvious.

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CONCLUSION

In view of the above amendments and remarks, the Applicants respectfully submit that this application is now in condition for allowance. Early notification to that effect is earnestly solicited.

Respectfully submitted,

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